To be returned to the Br III for being formed

Previous Refns
Mysore 334 of 1910
Legis 14 of 11
Legis 37 of 1910

File No. 42 of 1911
Serial Nos. 1-5

Later Reference
~~Legis 14 of 11~~

1911-12

P-58

GENERAL AND REVENUE SECRETARIAT.

(Legislation)

Part A: Manuscript
for ~~August~~ 11

Amendment of Sec 68 of the Mysore Municipal Regn 1906. for Compelling house-owners to intimate transfer of ownership etc

Serial Nos. 1-5

To The Honble the Resident No. 297 Dt 1-5-12

Forwards a copy of the Bill to further amend the Mysore Municipal Regn 1906.

2. From the F.A. Resident No 268 ~~A~~ Dt 8-5-12

Informs that the Resident has no ~~prima~~ facie objection to the Bill being laid before the Legn Council

G.R.S. 57

3. To the F.A Resident Pol 759 Dt 25-3-11

Forwards two copies of the Bill as finally passed & requests sanction of the Govt of India

G.R.S. 11]

1911-12

GENERAL AND REVENUE SECRETARIAT

(Legis)

NOTES.

File No. 22-11

FILE HEADING:

Amendment of Sec 68 of the Mysore Municipal Regulation 1906 for compelling house owners to intimate transfer of ownership

From

No	Dated	Received

Diary No.	Enclos:	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS

Extracts from Municipal Rule 180

3 S.L.O. 1910 S.L. 1-6 B. Mar. 1911

Extract from the Orders of the 259th Meeting of the Council of H.H. the Maharaja, held at

NOTES—First sheet.

GPB—15,000—24-4-09

at Bangalore on the 2nd 4th & 8th March 1911

XVI Subject (Clause XIX of the Schedule)

Improvement in the collection of municipal taxes in the city municipalities of Bangalore and Mysore.

Opinion of the Council

It is also desirable to amend the Regulation by incorporating into it provisions on the lines of certain sections of the City of Bombay Municipal Act throwing on the owners of property the duty of giving notice of changes of ownership to the Municipal Council.

(Sd) T. Ananda Rao
Dewan of Mysore.

Submitted to His Highness.

2 The amendment of the Mysore Municipal Regulation on the lines of the City of Bombay Municipal Act will be worked up and submitted for

GPB—50,000—12-8-10

Serial No.

for approval before the bill is placed before the Legislative Council

(Sd) T. Ananda Rao
15 March 1911

2 Draft of a bill incorporating into the Mysore Municipal Regulation the provisions of Sees 149, 150 and 151 of the City of Bombay Municipal Act, II of 1888 is submitted

3 Attention is respectfully invited to the Note under Sec 68 of the Bombay District Municipalities Act in Cummins Manual. It is a point for consideration how far the opinion that provisions similar to Sees 149, 150 & 151 of the City of Bombay Act may be provided by the rules to be prepared under Sec 60 (a) (ii) & (iii) of the Bombay Dt. Municipalities Act — vide the same Sec in the Mysore Municipal Regulation — is correct

page 182 in Cummins Bombay Dist. Municipal Manual.

HKB Sd 6.4.1911

4. It seems necessary to amend the Regulation

Note—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

since it is sought to make the owner transferee continue to be liable to the payment of the tax even after the transfer.

Secy) 26-6-11 Illegible

5. The draft seems suitable.

6 Please send to Brn for ~~sanction~~ Scrutiny.

CSB 7/7/11

Forwarded to Brn

17.7.11 Illegible

Joshi

8 Subd SN(11) 18/7/11

9 Please put up the City of Bombay Municipal Act and Municipal file no 334-10 refd to Sapre.

SB 22/7/11.

H V K 25/7/11

Joshi IV

10. The City of Bombay Improvement Act, 1888 and Dnl 7 no 334-10 SR 16-6 are putup.

HK 80 22.7.1911

11 Subd SN 24/7

Joshi III

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. of 19

Serial No.

12 The draft Bill seems on the whole to be all right but the following points seem to deserve consideration.

(i) The notice under Sec 149 of the Bombay City Act is to be given to the "Commissioner" who corresponds to our "President". In the draft the notice is to issue to the "Municipal Council". It seems to be better to make it issue to the Municipal Executive viz the President. [The Vice-president is not a necessary functionary - vide Sec 23 of the Regn] If this view is approved the words "President or if there is one, to the Vice-president of the" may be inserted after the words "to the" and before the words "Municipal Council" in para (1) of Sec 65A. A change consequential to this would be to add the words "or the Vice-president" after "President" in the two forms attached.

or the Vice-president

(ii) The words "shall not be" may perhaps be inserted in para 3 of Sec 65 B as in para 3 of Sec 65 A.

may be omitted as it is both places. Either the notice or the prosecution is not.

(iii) ~~Should there be a provision in the Act for the~~

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Mis 25.

G. R. S. 12]
eneral and Revenue Secretariat.

File No. of 19

Serial No.

14. Submitted

MK80 & 29.7.1911

15 The insertion of the word, Presidency or if there is one, to the Vice-President of the" in paragraph (1) of section 68 A, as suggested by the Apt Secretary Br III, seems unnecessary. If the sections now existing in this chapter be read, it will be found that it is provided that objections shall be made and notices given, to the Municipal Council. (Vide secs 65 (2) and 69 (1) of the Municipal Regulations). It would therefore be consistent with these provisions if the notice be required to be given to the Municipal Council - In the Bombay City, it is the Commissioner who takes action in regard to the preparation etc of the assessment list and notice is therefore required to be given to the Commissioner - (Vide sections 154 to 168 of the City of Bombay municipal Act) -

The words 'municipal Council' may be retained Apt 29/11

The Commissioner is different from the Chairman or President of the corporation in Bombay Apt

16. The words "is liable to pay"

GPB—50,000—12-8-10

L.F. Inis. 25/11

Inis 9 of 50 of 11 9

G.R.S. 12]
General and Revenue Secretariat.

File No. of 19

Serial No. (4)

Submitted with a copy of Cummings Bombay District Municipal Manual

(58) SW(11) 22 2 Law portfolio Do. Hd. Res.

20/9/11

1/5 L.D. Amphlett Asst Officer S.W. Syed

23 Please put up typed drafts soon

Jyhungsenbhai 26/9/11. SA

24 Typed drafts submitted

(58) SW(11)

30/9/11 25 SA

28/10/11.

2nd Dr & Dewan

4n/12 A Copy of the Act VII of 88 is herewith put up & Sd. DNJ

No. Where is the Cty of Bombay Act? I do not see the book in the file.

31/10/11 (Sd) (H.V. Nanjundiah)

27 I do not like the idea of making failure to give notice punishable by fine. The Penalty contemplated by S. 48 seems to refer to a different sort of

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. of 19

Serial No.

Sections 149 to 151 of the Bombay Act have to be read with Sec. 471, in which penalties are prescribed for contravention of Sections 149 & 150. The penalties mentioned in ~~cl~~ ~~Sub~~ Sub-clause (3) of 68A & Sub-clause (3) of 68B are based on Sec. 471 of the Bombay Act.

I have made a few verbal alterations in the draft so as to make the language closely follow that of the Bombay Act.

Please recirculate to Councillors & bring up at a meeting.

J. Amanda Rao

noted for meeting

29/ Recirculated to Cs.

27/2/12

28/2/12

Seen -

4/3/12 N. V. Narasimhaiya

GPB—50,000—12-8-10

No. C. 196/Enc. 2 books
1.3.1912.
12

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT:

Amendment of section 68 of the Nuwara Municipal Regulation, VII of 1906.

CIRCULATED TO COUNCILLORS.

By Order,

29th February 1912.

C. Balasundaram
Offg. Secretary to Government.

First Councillor.

Second Councillor.

13

Extract from the Proceedings of the 275th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 8th March 1912.

Subject. - (Clause ii of Schedule).

Amendment of section 68 of the Mysore Municipal Regulation, VII of 1906.

OPINION OF THE COUNCIL.

31. The draft Bill may be approved and placed before the Legislative Council in due course.

Sd. T.Ananda Row,

DEWAN OF MYSORE.

"Extract"

C.S. Balasundaram Jr

Offg. Secretary to Government.

16

Submitted to His Highness.

"Draft for approval"

32 I submit for the orders of His Highness a draft bill for the amendment of Section 68 of the Mysore Municipal Regulation VII of 1906.

2. The statement of objects and reasons on the file elucidates the necessity that now exists to throw upon the owners of lands and houses within the Municipalities, an obligation to intimate to the Municipal Councils, changes in the ownership of such properties, and the bill has been framed on the lines of Sections 149, 150 and 151 of the City of Bombay Municipal Act III of 1888.

3. The Council are of opinion that 'the draft bill may be approved and placed before the Legislative Council in due course'. The draft bill may be approved.

Dec

G. R. S. 12]
General and Revenue Secretariat.

Legis File No. 42 of 19 11-12

Serial No.

38. Fair copy of the draft to the Residency and of the Bill and statement of Objects and reasons are herewith put up. These have to be issued for under the Dewan signature

~~CK (5-8) SNC 11~~
18/4/12 19.4.12

39. [I don't see the initials of any one on the fair copies]

19/4/12

40. Misc have been Compared & since installed.

SN
19/4/12

41. [Forwarded to the Under Secy in duplicate with the Dewan.

15-1-11
27-4-12

42. The fair copies are based on drafts which were in the file when it passed thro' the Dewan and Councillors - but their initials are not to be found thereon. It is presumed however that they have been approved]

960
29.4.12

43. 25/4/12

(Letter alone required. Draft approved
2 - It seems to me that unless we make the property itself in which

own

NOTE—Contn. sheet.

GPB—50,000—12-8-10

3032 of 11-12 18

G. R. S. 12
General and Revenue Secretariat

Legis File No. 42 of 1911-12

Serial No.	
2	D.O. No. 2684 dated 8/5/12 from the F.A. Resident informs that the Resident has no prima facie objection to the Bill being laid before the Legisl.
	4th Submitted 28/5/12
	5th Submitted. ~~The Bill was~~ Leave to introduce the Bill was granted at the meeting of the Legis. council on 1/6/12 and the same was read in council and referred to a Select committee on 4/4/13, ~~and after was read by the Select committee~~ ~~added~~ The Select committee made slight alterations in the Bill and recommended the Bill being passed as amended by them. The report of the Select committee was considered by the council on 15th/9/13. On clause 3 being strongly objected to in council the 1st member ~~stated~~ said that the govt were disposed to accept the substance of the discussions at the meeting. But

Read without reading 4/6/13

NOTE—Contn. sheet.

Serial No.

that as it would be necessary to omit sec: 3 and by that step some of the other useful provisions would also be left out the Govt are disposed to recast the provisions by omitting the penalty clause. Action has now therefore to be taken by Govt to move a suitable amendment at the next meeting.

The 1st councillor also has made pencil corrections in a copy of the Bill shewing how it had to be amended and a copy of the same was made at the time and is put up in the file. A draft proposition embodying these amendments is here with put up.

Original returned to Personal Asst to the [illegible] with all the papers used by him at the meeting.

Flag R

Flag Z

Council matter

CB (68)
12/1/14

51. As a result of the discussion in the Legislative Council, Govt agrees to recast Sec Cl 3 of the bill omitting the penalty Clause (vide 1st Cr's speech Statement p 20 of the Proceedings of the Council). This has now to be done.

Flag G

Supplement to the Gazette 27-10-13

NOTE—Contn. sheet.

G. R. S. 12]
General and Revenue Secretariat.

Legis File No. 42 of 1911-12 (J 3032-11)

Serial No.

may be necessary so as to throw the burden of proving and the legal rights of the deceased persons & substitute their names in the Land-registers, or the Land-Commissioners Court of competent jurisdiction. This will be in accordance with Sec 68 of the Land Revenue Act, cl (1) of Sec 68A may be amended accordingly giving all persons & transferees & empowering the Collector to issue notice & the transferee thereof. Because, as the amendments stand at present, there is no provision to compel the defaulting transferee to give the notice required & this section Sec 68 clause (b)(c) & (d) may remain unaltered.

20/1/14 Well (sd) M. Kanakaraj Urs.

7184
21.1.14

5-6:

(Mr Commissioner) Before submission to Govt Govt Order 23/1 (sd)

67. The matter may be decided at the next meeting as it has to go before the next meeting of Council.

58. The proposed Section 68 b

NOTE—Contn. sheet.

GPB—50,000—12-8-10

J 3032-11 23

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 42 of 1911-12

Serial No.

62. The amendment was placed before the Legis. council at their meeting held on the 3rd Feb: 1913 and was adopted by them. The Bill as amended was finally adopted by the council with slight verbal alteration viz the substitution of the word "Registers" for the word "books" in sec: 68 D and also for the word "records" in schedule IV B. sanction of the Govt. of India is required for this Bill. A draft to the Residency is also put up. The (48) alternative draft on the Secretariat 7/3/14 is also subd.
9 Mar
9/3.

63) Resubmitted with a revised draft as ordered.

(48)
12/3/14 The draft, as usual adopts the language of the Statement of Objects & Reasons first published with the bills, to explain the scope of the Bills & the Regs.

65) The draft may be approved

NOTE—Contn. sheet.

GPB—60,000—7-11-13

Dy Secy) 13/3

G. R. S. 12]

General and Revenue Secretariat.

3032-11

(94

File No. 42 of 1914-15

Serial No.	
	First Member) Drainage Law 16/3/15
66)	Draft approved by 1st Member. MR. 22.3.14.
	25/3 23/3
67)	Issue (urgent). 1/100 23/3
3	Pol. 759 dated 25/3/14 to the F.A. Resident forwards 2 copies of the Bill as finally passed and Requests the Residency to obtain the sanction of the Govt of India for passing the Bill into law
4	No 2953 dated 29th April 1914 from the F.A. Resident. Informs that the Govt of India have accorded their consent to the Bill subject to the usual reservation of power under Act. 18 of the Treaty of 1913.
68)	Submitted for information. This bill will now have to be placed at the next meeting of the Legis. council for being finally passed. The Residency have not replied about the C & M. Station

NOTE—Contn. sheet.

GPB—60,000—7-11-13

3534

(25

H. R. S. 12]

General and Revenue Secretariat.

Legis File No. 42 of 1911-12

Serial No.	
	The Municipality seem to have already agreed vide draft to the Resy. Dues 13/5
(49)	Municipality having been asked to pass their amendments so as to afford reciprocity as regards the provisions of clause 2 of the Bill.
	(48) NK 8/5/14 Secy
	2nd Member) 14/5/14
	H. 5/14 Dues as Rao 13/5
	14 Dues 14/5
	H. 13/5/14
	Subd.
7)	The bill as adopted at the meeting of the 3rd Feb: 1912 was placed before the meeting of the Legis. council on the 29th June 1914 and was passed. This has to be now submitted to His Highness for his assent. A copy of the Bill as passed is herewith put up for being certified by the Dewan after obtaining H. H.'s assent to its being passed into law.
	(48) 30/6/14 NK

NOTE—Contn. sheet.

GPB—60,000—7-11-13

3534

(4

G. R. S. 12]

General and Revenue Secretariat.	Legis File No. 42 of 191 1 — 2	
Serial No.		
	Secy)	Spdl 3E/6
8 1.7.'14	Diwan)	Dewn 4c Clas 17 Pwr

NOTE—Contn. sheet.

GPB—60,000—7-11-13

D534

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Promulgation of the Bill to further amend the Mysore Municipal Regulation, 1906, as Law.

M. 137

Order.

~~KRW~~
13/8/14

Leur Lrs
14-8-14
Secy to Govt
15/8
Es
17/8

3554

7. B. S. 121

General and Revenue Secretariat.	Legis File No. 42 of 1911-12

Serial No.	
	Submitted with a draft order to the Compiler ordering the publication of the Regn.
	CL(GS) 20/8/14 Issue 20/8/14
5	No J 522 dated 25/8/14 to the Compiler, Mysore Gazette Orders the publication of the Regn as Regn No VIII of 1914 Subn. Spare copies of the Regn have been received. 11 copies have to be sent to the Residency as usual. A draft is put up
	CL(GS) 28/9/14 Issue 29/9

NOTE—Contn. sheet.

GPB—60,000—7-11-13

D.O.No. 297/Eur

Legs 49/F-11 Serial 1

~~General and Revenue Secretariat.~~
Amanda Aram, Fern Hill

~~Dated Bangalore.~~ 1st May ~~April~~ 1912.

Draft

My Dear Sir,

I enclose herewith a copy of a Bill to further amend the Mysore Municipal Regulation, 1906. From the Statement of objects and reasons it will be seen that the amendments proposed to be adopted relate to the recovery of taxes due in respect of buildings and lands situate within Municipal limits. At present owners are not under any obligation to intimate to the ---- Municipal Councils changes in ownership of lands and houses. The result has been that the Municipal Council (e.g. Bangalore City Municipal Council) have been experiencing considerable difficulty in adducing satisfactory proof of liability when it is challenged and has to be established in a court of law.

2. It is considered necessary that a remedy should be devised and with this object the Bill under reference has been prepared.

3. I am to add that it will be laid before the Legislative Council in due course.

~~I am,~~

Yours Sincerely

Draft (Dewan) 1 May '11

To

The Hon'ble Col. Hugh Daly, ~~C.S.I.~~ K C.I.E. C S I

Resident in Mysore

B.K.M.

Draft Attached

A Bill to amend the Mysore Municipal Regulation VII of 1906

The following shall be added after Section 68

Notice to be given to Municipal Council of all transfers of title of persons primarily liable to payment of taxes on buildings or lands.

Bombay C.M. Act. Sec 149.

68 A. (1) Whenever the title in the property of any person primarily liable for the payment of the tax imposed in the form of a rate on buildings or lands or on both is transferred, the person whose title is so transferred and the person to whom the same shall be transferred shall, within three months after execution of the instrument of transfer or after its registration, if it be registered or after the transfer is effected, no instrument be executed, give notice of such transfer, in writing to the Municipal Council

(2

(2) In the event of the death of any person primarily liable as aforesaid, the person to whom the title of the deceased shall be transferred, as heir or otherwise, shall give notice of such transfer to the Municipal Council within one year from the death of the deceased

Penalty

(3) Whoever contravenes the provisions of Sub-section (1) or Sub-section (2), shall be punished with fine which may extend to fifty rupees

Sec 471

Form of Notice.

Sec 150

688. (1) The notice to be given under the last preceding section shall be in the form either of Schedule IV A or Schedule IV B as the case may be, and shall state clearly and correctly all the particulars required

required by the said form.

(2) On receipt of any such notice, the Municipal Council may, if they think it necessary, require the production of the instrument of transfer, if any or of a copy thereof obtained under Section 57 of the Mysore Registration Regulation, 1903

Penalty

Sec 171

(3) Whoever fails to comply with the requisition made under ~~Sub Section~~ Sub section (2) shall be punished with fine which may extend to fifty rupees

Liability for payment of taxes on buildings or lands to "Continue in the absence of ~~any~~ notice of transfer

Sec 151

68 C. (1) Every person primarily liable for the payment of the tax imposed on any property in the form of a tax on buildings or lands or on both who transfers his title to or over such property without giving notice of such

such transfer to the Municipal Council as aforesaid, shall, in addition to ~~any~~ any other liability which he incurs through such neglect ~~under subsection 2 of sec. 68~~ continue liable for the payment of all taxes from time to time payable in respect of the said property until he gives such notice, or until the transfer shall have been recorded in the books of the Municipal Council

(2) But nothing in this section shall be held to diminish the liability of the transferee for the said taxes, or to affect the prior claim of the Municipal Council on the property conferred by Section 87 for the recovery of the taxes due thereupon

AWK 80
24.6.1911

Schedule IV A

Section 68 B

Form of Notice of transfer to be given When the transfer has been effected by Instrument

To the President of the Municipal Council

I, A. B. hereby give notice as required by section 68A of the City Income Municipal Regulation VII of 1926 as amended by Regulation , of the following transfer of property

Date of Notice	Date of instrument	Name of Vendor or assignor	Name of purchaser or assignee	Amount of Consideration	Description of the property					If instrument has been registered the date of Registration	Remarks
					If Urban Give Details	Situation	No. in assessment book	Annual Rent of land	Boundaries		

Signed A. B

Schedule IV B.

Section 68 B.

Form of Notice of Transfer to be given when the transfer has taken Place otherwise than by Instrument

To the President of the Municipal Council

I, A. B. hereby give notice, as required by section 68 A of the Mysore Municipal Regn VIII of 1906, as amended by Regn , of the following transfer of property

Date of Notice	Name in which the property at present entered in the municipal registers	To whose name it is to be transferred	Description of the property					Remarks
			Of what it consists	Situation	Extent in square measurement	Boundaries of land	Number	

Signed A B

Statement of objects and reasons

In regard to assessed taxes on houses, etc, the existing registers of property in the Bangalore ~~Cantonment~~ City Municipality ~~were very defective~~ do not contain correct information ~~granted and contained~~ no records of the transfers of changes of ownership that have taken place from time to time. These registers have to be brought up to date. The absence of this accurate information also places great difficulties in the way of recovering revenue from the persons liable by suits in Court the Civil Courts and by distraint of moveable property. It is therefore considered necessary that there should be some statutory obligation on the part of the owners of property to give notice to the Municipal authorities of changes of title of ownership. With this object it is proposed ~~It has therefore been found desirable~~ to amend the Mysore Municipal Regulation, VII of 1901 by incorporating into it sections 149 to 157, both inclusive of the City of Bombay Municipal Act, II of 1888 relating to the Coast to East on the owners of proper-

~~the registers about~~ ~~registers~~ ~~and~~ and such information is necessary to bring the registers up to date.

of property the duty of giving notice of changes of ownership of land building or lots to the Municipal Council

Situate within Municipal limits

24.6.1911.

9/11

Legis 42-14-2

D.O. No. 2684.

Secy's letter 10 May 12

D.O. No. Fr 373

Mysore

3032

THE MYSORE RESIDENCY,

Bangalore, 8th May 1912

Police 1827 13-5-12

My dear Dewan Sahib

I am desired to acknowledge the receipt of your D.O. letter No. 297, dated the 1st May 1912, forwarding a draft Bill to amend the Mysore Municipal Regulation, -- 1906, and in reply, to say that the Resident sees no -- prima facie objection to the Bill being laid before the Legislative Council.

Yours Sincerely

P.R. Wadsworth

T. Ananda Row Esq., C.I.E.,

Dewan of Mysore.

pm

Revised draft

G. R. S. 26]

2313

Legs File No. 42-11

Serial No. 3

Diary No. of letter replied to———

Dge No. 7359/26.

General and Revenue Secretariat

( )

, the *191* .

To

The J. A. Resident in Mysore, Bangalore,

Sir

Date of issue 25. 3. 14.

Signed by Mr K. R. Srinivasaiyar I am directed to forward herewith two copies of (1) the Bill to further amend the Mysore Municipal Regn, 1906, as finally adopted by the Mysore Legislative council, (2) the Bill as introduced into the council and (3) the Report of the Select-

over.

SUBJECT.

committee on the Bill and to state as follows:—

Clause 1.— The old Municipal Regulations of 1871 as applied to the cities of Bangalore and Mysore contained a provision, sec: 91, enabling Municipalities to raise loans for works of a permanent nature either from Govt or in the open market. But this provision was omitted from ~~Govt or in~~ the Municipal Regn: 1906, now in force, which is based on the Bombay Municipalities Act. The defect has been supplied in Bombay by the enactment of Local Authorities Loans Act of 1879 and 1897. As there are no corresponding Regulations in force in ~~enacted for~~ Mysore the Municipal councils are ~~will be~~ unable to raise a loan whenever necessary. ~~where necessary~~

List of enclosures,

Six

Nil

Copied by

Examined by

GPB—25,000—8-8-11.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

~~agree~~ It has therefore been considered desirable to amend the existing Regulation in terms of clause (1) of sec: 41 of the old ~~Act~~ Municipal Regulations with suitable modifications. A new section as sec: 53A is accordingly proposed to be inserted

Clause 2. Under the law as at present in force the British Military Officers living within the limits of the Bangalore city ~~have got~~ are liable to pay Municipal tax in respect of the ~~horses~~ horses owned by them. It is understood that in Municipalities in British India the chargers which the Military Officers are bound to maintain are exempt from Municipal taxation

and it is considered desirable that this concession should be extended to the British Military Officers residing within the limits of the Bangalore city Municipality. The C & M Station Municipality have on their part agreed to extend a similar exemption in favour of the officers of the affairs of the Mysore State troops living within the limits of the C & M Station

It is also considered desirable that one bicycle and one horse kept by the members of the Police Force of the city and the C & M Station of Bangalore residing within the city limits for use in connection with their Official duties should be exempted from Municipal taxation. The Station Munici

APB—15,000—13-11-11

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

cipality have consented to allow reciprocity in this matter also.

Clause 3. In regard to assessed taxes on houses and buildings, the registers of property in the ~~Bangalore city~~ Municipalities do not contain correct information about changes of ownership that have taken place from time to time and such information is necessary to bring the registers up to date. There is at present no authority for compelling owners to supply such information, the absence of which places great difficulties in the way of recovering revenue from the persons liable by suits in the Civil Courts and by distraint of moveable property. It is

GPB—10,000—22-2-11

proposed to amend the Regulation, by incorporating into it sections 149 to 151, both inclusive, of the city of Bombay Municipal Act, III of 1888, so as to cast on the owners of property the duty of giving notice to the Municipal council of changes of ownership of buildings or lands situate within Municipal limits. ~~The Bill was therefore framed so as to contain all the above~~ The Bill was considered by the Legislative council and was finally adopted by them with some slight amendments, of which the principal ~~amendment~~ is the omission of the ~~penal clauses~~ provisions in the last clause of the Bill.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

I am therefore to request you to be so good as to obtain the sanction of the Government of India for the Bill being passed into law: ~~and also~~ to get the C & M station Municipal laws and Bye-laws suitably amended so as to give full reciprocity as regards clause 2 of the Bill

I have &c.

Secretary to Govt.

22/3/14

Draw 1613

NRC 13.3.14.

Ed N

Copy for the file

A Bill to further amend the Mysore Municipal Regulation, 1906.

As finally adopted by the Mysore Legislative Council

~~(As amended by the Select Committee.)~~

~~[The portions in square brackets are those omitted and those in italics newly added by the Committee.]~~

Whereas it is expedient to further amend the Mysore Municipal Regulation, VII of 1906; His Highness the Maharaja is pleased to enact as follows:—

Preamble.

Insertion of a new section after Section 53.

1. The following new section shall be inserted after Section 53, namely:—

"53 A. A Municipal Council may, in pursuance of a resolution passed at a special general meeting and with the previous sanction of Government and subject to such conditions as may be prescribed by Government as to security, the rate of interest and the repayment of principal and interest, borrow, either from Government, or from [~~private~~] *any* person[~~s~~], any sum of money required for constructing any work of a permanent nature which it is required or empowered to undertake under the provisions of this Regulation."

2. The following shall be inserted after proviso (*a*) to Section 59, namely:—

Insertion of an additional proviso after proviso (*a*) to Section 59.

"(*aa*) No tax shall be leviable in respect of horses, being registered chargers of the officers of the Mysore State Troops or of the British Indian Army, or in respect of one bicycle[~~and~~] ~~or~~ one horse kept by the members of the Mysore Police Force or the Police Force of the Civil and Military Station, Bangalore, for the performance of their official duties."

and

3. The following shall be added after Section 68, namely:—

Addition of new sections after Section 68.

"68A. (1) Whenever the title of any person primarily liable for the payment of a tax imposed on any premises in the form of a rate on buildings or lands or both to or over such premises is transferred, the person whose title is so transferred and the person to whom the same shall be transferred shall, give notice of such transfer in writing to the Municipal Council.

Notice to be given to Municipal Council of all transfers of title by persons primarily liable to payment of taxes on buildings or lands.

(2) In the event of the death of any person primarily liable as aforesaid, the person to whom the title of the deceased shall be transferred, as heir or otherwise, shall give notice of such transfer to the Municipal Council.

68B. (1) The notice to be given under the last preceding section shall be in the form either of Schedule IV A or Schedule IV B, as the case may be, and shall state clearly and correctly all the particulars required by the said form.

Form of notice.

(2) On receipt of any such notice, the Municipal Council may, if they think it necessary, require the production of the instrument of transfer, if any, or of a copy thereof obtained under Section 57 of the Mysore Registration Regulation, 1903.

68C. Whenever such transfer comes to the knowledge of the Municipal Council either through such notice or otherwise, and after such enquiry as may be necessary, the name of the transferee shall be substituted in the Municipal registers for that of the person primarily responsible.

68D. (1) Every person primarily liable for the payment of a tax imposed on any premises in the form of a rate on buildings or lands who transfers his title to or over such premises without giving notice of such transfer to the Municipal Council as aforesaid, shall, in addition to any other liability which he incurs through such neglect, continue liable for the payment of all taxes from time to time payable in respect of the said premises, until he gives such notice, or until the transfer shall have been recorded in the ~~books~~ registers of the Municipal Council.

Liability for payment of taxes on buildings or lands to continue in the absence of notice of transfer.

(2) But nothing in this section shall be held to diminish the liability of the transferee for the said taxes or to affect the prior claim of the Municipal Council on the premises conferred by Section 87 for the recovery of the taxes due thereupon."

"SCHEDULE IV A.

(SECTION 68 B.)

Form of Notice of Transfer to be given when the transfer has been effected by instrument.

To the President of the Municipal Council.

I, A. B., hereby give notice, as required by Section 68 A of the Mysore Municipal Regulation, VII of 1906, as amended by Regulation , of the following transfer of property :—

Date of notice	Date of instrument	Name of vendor or assignor	Name of purchaser or assignee	Amount of consideration	Description of the property					If instrument has been registered, the date of registration	Remarks
					Of what it consists	Situation	Number in assessment list	Dimensions of land	Boundaries		

(Sd.) A. B.

SCHEDULE IV B.

(SECTION 68 B.)

Form of Notice of Transfer to be given when the transfer has taken place otherwise than by instrument.

To

The President of the Municipal Council.

I, A.B., hereby give notice, as required by Section 68A of the Mysore Municipal Regulation, VII of 1906, as amended by Regulation of the following transfer of property :—

Date of notice	~~Name in which~~ *In whose name* the property is at present entered in the Municipal ~~records~~ registers	To whose name it is to be transferred	Description of the property					Remarks
			Of what it consists	Situation	Number in assessment list	Dimensions of land	Boundaries	

(Sd.) A. B."

GPB—100—9-8-13.

Poe No 1864 of 1.5.14.

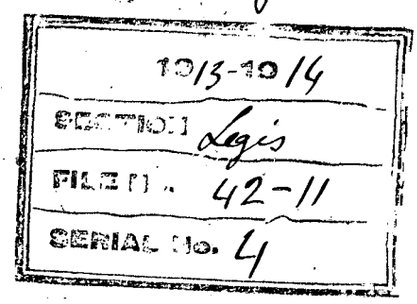
No. 2953.

III/29/4

FROM

P. B. WARBURTON, Esq., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

DIARY No. J 3534



To

The Dewan of Mysore.

Dated Bangalore, 29th April 1914

SIR,

I am directed to acknowledge the receipt of Mr. Srinivasiengar's letter No. 759Pol., dated the 24th March 1914, forwarding for the orders of the Government of India a Bill further to amend the Mysore Municipal Regulation, 1906 (VII of 1906).

2. In reply, I am to say that the Governor General in Council has been pleased to accord his consent to the Bill on the understanding that he retains over it the power and authority which vest in him by virtue of Article 18 of the Treaty, dated the 26th November 1913.

I have the honour to be,

Sir,

Your most obedient servant,

P B Warburton

First Assistant Resident.

R. O. 2.—R P. B.—3-1914.—1,000.

G.R.S. 28.]

21/8

Diary No. of letter replied to

File No. 42-11

Serial No. 5

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 19

ate of issue 25-8-14

Signed by Srs G. Srinivasa Iyer

READ—

ORDER THEREON.—No. 7522

Ordered that the accompanying Regulation to further amend the Mysore Municipal Regulation, 1906,

SUBJECT.

GPB—10,000—19-4-10

received the assent U/S
His Highness the Maharaja
on the 13th August 1914
be published as Regn VIII
of 1914 in the Mysore Gazette
for general information

[redacted]

For Secretary to Govt

NRC
20.8.14

To

The compiler Mysore
Gazette for publication of the
Regn in Part-II in English
and Kannada and to send
300 spare copies in English
and 100 in Kannada to this
Office and 150 in English and
50 in Kannada to the Curator,
Govt Central Book Depot Bangalore.
Proofs should be sent to this
Office for approval before
printing

G. R. S. 26]

Legis File No. 42-11
Serial No. 6

Diary No. of letter replied to

General and Revenue Secretariat
( )
, *the* 191 .

Pol No. 288/Leg 11.

To The F. A. Resident
in Mysore
Bangalore

Date of issue 3. 10. 1914

Signed by Rao Sahib M. Narasimha Rao

Sir

I am directed to forward herewith 11 copies of the Regulation to further amend the Mysore Municipal Regulation, 1906 (Regn. VIII of 1914) and to request that a copy may be forwarded to His Highness the Nizam's Govt.

I have &c.
29/9
Secretary to Govt

SUBJECT.

compd
2/10/14

REGULATION No. VIII OF 1914.

A Regulation to further amend the Mysore Municipal Regulation, 1906.

(Received the assent of His Highness the Maharaja on the 13th day of August 1914.)

Preamble.

Whereas it is expedient to further amend the Mysore Municipal Regulation, VII of 1906; His Highness the Maharaja is pleased to enact as follows:—

Insertion of a new section after Section 53.

1. The following new section shall be inserted after Section 53, namely:

"53 A. A Municipal Council may, in pursuance of a resolution passed at a special general meeting and with the previous sanction of Government and subject to such conditions as may be prescribed by Government as to security, the rate of interest and the repayment of principal and interest, borrow, either from Government or from any person, any sum of money required for constructing any work of a permanent nature which it is required or empowered to undertake under the provisions of this Regulation."

Insertion of an additional proviso after proviso (*a*) to Section 59.

2. The following shall be inserted after proviso (*a*) to Section 59, namely:—

"(*aa*) No tax shall be leviable in respect of horses, being registered chargers of the officers of the Mysore State Troops or of the British Indian Army, or in respect of one bicycle and one horse kept by the members of the Mysore Police Force or the Police Force of the Civil and Military Station, Bangalore, for the performance of their official duties."

Addition of new sections after Section 68.

3. The following shall be added after Section 68, namely:—

Notice to be given to Municipal Council of all transfers of title by persons primarily liable to payment of taxes on buildings or lands.

"68A. (1) Whenever the title of any person primarily liable for the payment of a tax imposed on any premises in the form of a rate on buildings or lands or both to or over such premises is transferred, the person whose title is so transferred and the person to whom the same shall be transferred shall give notice of such transfer in writing to the Municipal Council.

(2) In the event of the death of any person primarily liable as aforesaid, the person to whom the title of the deceased shall be transferred, as heir or otherwise, shall give notice of such transfer to the Municipal Council.

Form of notice.

68B. (1) The notice to be given under the last preceding section shall be in the form either of Schedule IVA or Schedule IVB, as the case may be, and shall state clearly and correctly all the particulars required by the said form.

(2) On receipt of any such notice, the Municipal Council may, if they think it necessary, require the production of the instrument of transfer, if any, or of a copy thereof obtained under Section 57 of the Mysore Registration Regulation, 1903.

68C. Whenever such transfer comes to the knowledge of the Municipal Council either through such notice or otherwise, and after such enquiry as may be necessary, the name of the transferee shall be substituted in the Municipal registers for that of the person primarily responsible.

Liability for payment of taxes on buildings or lands to continue in the absence of notice of transfer.

68D. (1) Every person, primarily liable for the payment of a tax imposed on any premises in the form of a rate on buildings or lands, who transfers his title to or over such premises without giving notice of such transfer to the Municipal Council as aforesaid, shall, in addition to any other liability which he incurs through such

neglect, continue liable for the payment of all taxes from time to time payable in respect of the said premises, until he gives such notice, or until the transfer shall have been recorded in the registers of the Municipal Council.

(2) But nothing in this section shall be held to diminish the liability of the transferee for the said taxes or to affect the prior claim of the Municipal Council on the premises conferred by Section 87 for the recovery of the taxes due thereupon.

SCHEDULE IV A.

(SECTION 68 B.)

Form of notice of transfer to be given when the transfer has been effected by instrument.

To the President of the Municipal Council.

I, A.B., hereby give notice, as required by Section 68A of the Mysore Municipal Regulation, VII of 1906, as amended by Regulation VIII of 1914, of the following transfer of property :—

Date of notice	Date of instrumen	Name of vendor or assignor	Name of purchaser or assignee	Amount of consideration	Description of the property					If instrument has been registered, the date of registration	Remark
					Of what it consists	Situatio	Number in assessment	Dimensions of land	Boundaries		

(Sd.) A. B.

SCHEDULE IV B.

(SECTION 68B.)

Form of notice of transfer to be given when the transfer has taken place otherwise than by instrument.

To the President of the Municipal Council.

I, A.B., hereby give notice, as required by Section 68A of the Mysore Municipal Regulation, VII of 1906, as amended by Regulation VIII of 1914, of the following transfer of property :—

Date of notice	In whose name the property is at present entered in the Municipal registers	To whose name it is to be transferred	Description of the property					Remarks
			Of what it consists	Situation	Number in assessment	Dimensions of land	Boundaries	

(Sd.) A. B.

M. VISVESVARAYA,
Dewan.